1951

File No. Pub. Conveyance II/51 (R)

Legal Department
B BRANCH

Subject:— Rules under the Bombay Public Conveyance Act, 1920

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Office of the R.L.A.

In place of draft notification at p. 25 ante, a revised draft notification is sent herewith.

2. It is not necessary to issue a preliminary notification for prescribing fees under sections 7 and 14 and the view taken by Home Department at 'A' on page 23 ante is correct.

3. Notes (1),(2) and (3) in H.D. draft:-

Section 7(1) of the Act provides for prescribing fees for a licence for a public conveyance. It does not provide for prescribing fee for an animal. Scale of fees for renewal of a licence is already prescribed in section 7(2) and 14(2) of the Act. Note (3) is not necessary in view of the provisions of sections 6 and 13(1) of the Act. ~~Note~~ There is no provision in section 13 for charging ~~fee~~ fee for a badge.

4. As regards the exemption in favour of bullock carts of bona fide agriculturists, under section 36(2)(c) of the Act, the District Superintendent of p Police would not be competent to grant such exemption. The power is exercisable by the State Government (vide R.L.A.'s Opinion No. 7777, dated 17th May 1951). A requisite draft notification is therefore sent herewith.

5. Under sections 4(1) and 11(2) of the Act, the licences are to remain in force for the licensing year. It would be necessary to fix under section 2(c) of the Act the period covered by licensing year.

Sd/-J.R.Dhuraadhar,
10-12

Remembrancer of Legal Affairs.

U.R. to H.D.No. 19507, dated the 10th December 1951.

S.A.K.
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